

Legal Notice
USDA Forest Service
Superior National Forest
LaCroix Ranger District
St. Louis County, Minnesota

The LaCroix District Ranger, Nancy Larson, signed a Decision Memo on October 24, 2006, for the Old Root Biomass Project. The decisions guide management on 60 acres of Superior National Forest System land located approximately 35 miles northwest of Cook in St. Louis Counties. The Project Area is located in Township 67 North Range 20 West Sections 5, 6, & 7.

Activities include mechanical fuels reduction. These activities are intended to reduce hazardous fuels.

This proposal falls in a category of actions excluded from analysis in an Environmental Assessment or Environmental Impact Statement, as proposals of this type individually and cumulatively do not have a significant effect on the human environment (see 40 CFR 1508.4). A recent court order (*Earth Island Institute v. Ruthenbeck*, CIV F-03-6386 JKS) required that categorically-excluded actions that include thinning occurring over an area greater than 5 continuous acres be subject to 36 CFR § 215.

Each decision is subject to appeal pursuant to Title 36 CFR 215. Individuals or organizations that submitted comments during the comment period may appeal. A written Notice of Appeal, including attachments, must be postmarked and submitted to the Appeal Deciding Officer within 45 calendar days following the date this notice is published in the official newspaper of record, the Mesabi Daily News, Virginia, Minnesota. However, when the 45-day filing period would end on a Saturday, Sunday, or federal holiday the filing time is extended to the end of the next federal working day. The publication date of this legal notice is the exclusive means for calculating the time to file an appeal; those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

The Notice of Appeal should be sent to: USDA Forest Service, Attn: Appeal Deciding Officer James W. Sanders, Attn: Appeals and Litigation, USDA-Forest Service, Eastern Region, 626 E. Wisconsin Ave., Milwaukee, WI 53202. Appeals sent by email should be addressed: appeals-eastern-regional-office@fs.fed.us (Subject: Old Root Biomass Project). Send appeal(s) by fax to: (414) 944-3963, Attn: Appeal Deciding Officer, USDA Forest Service. Normal business hours (for hand-delivered appeals) are 7:30 AM – 4:00 PM, Monday – Friday. Electronic appeals should be in TXT, RTF, DOC, PDF, or other Microsoft Office-compatible formats. Appeals must meet content requirements of 36 CFR 215.14.

If no appeal is received, implementation may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition (36 CFR 215.9).

For further information on this decision, contact Brian Jenkins at the USDA Forest Service, LaCroix Ranger District, 320 North Highway 53, Cook, MN, 55723, or call 218-666-0020 (voice). The Decision Memorandums are available on the Superior National Forest webpage at www.fs.fed.us/r9/superior.